

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 14, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Acting Chief of Police.

Invocation was delivered by DR. JOHN BARCLAY, Central Christian Church, 1110 Guadalupe.

The Council, by rising vote expressed its appreciation to SENATOR CHAS F. HERRING, Representatives WILSON FOREMAN, OBIE JONES, and CHARLES L. SANDAHL, JR. for their legislative help to the City of Austin. The City Attorney was asked to send letters to the Governor, Lt. Governor, Speaker, and the Legislators expressing the appreciation.

MR. CLYDE MALONE and MR. FRANK DENIUS, Attorney for the Austin Transit Corp., made inquiry about the request to discontinue the bus service to FORD VILLAGE when school is out, stating a school bus would be scheduled next fall. The Council deferred action until the following week.

MR. BOW WILLIAMS made inquiry if the Scottish Rite Dormitory for girls could be asked to make a contribution in lieu of taxes to compensate some for services; as there were other non-profit dormitories that did pay heavy taxes. The Mayor stated this matter would be looked into, and he asked the City Attorney to find out about the status.

Councilman White moved that the Minutes of the Meeting of May 7, 1959 be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: (1) LOT 1, BLOCK A, BARTON HEIGHTS "B" ANNEX FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (2) (A) LOTS 5 AND 6, BLOCK 1, LAKEVIEW ADDITION, AND (B) LOT 4 AND THE EAST 15 FEET OF LOT 3, BLOCK 1, LAKEVIEW ADDITION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND, (3) ONE LOT AND A TRACT OF LAND FRONTING 125 FEET ON THE SOUTH RIGHT OF WAY LINE OF PARK PLACE AND 190 FEET ON THE EAST RIGHT OF WAY LINE OF SAN JACINTO BOULEVARD, LOCALLY KNOWN AS 601-605 PARK PLACE AND 2507-2511 SAN JACINTO BOULEVARD, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated April 2, 1959, of record in Volume 2023 at page 537 of the Deed Records of Travis County, Texas, a drainageway and public utility easement was granted to the City of Austin in, upon and across a strip of land, ten (10.00) feet in width, same being out of and a part of Block J in Barton Hills Section 1, a subdivision of a portion of the Henry P. Hill Survey, in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills Section 1 of record in Book 7 at page 106 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has heretofore granted to the City of Austin a drainageway and public utility easement at a more desirable and practical location, and has requested that the hereinafter described drainageway and public utility easement located on such premises be released; and,

WHEREAS, the hereinafter described easement is not now needed nor hereafter be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the drainageway and public utility easement located on the hereinafter described premises, to wit:

A strip of land, ten (10.00) feet in width, same being out of and a part of Block J in Barton Hills Section 1, a subdivision of a portion of the Henry P. Hill Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills Section 1 of record in Book 7 at page 106 of the Plat Records of Travis County, Texas, the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the north line of South Lamar Boulevard, same being in the south line of said Block "J" Barton Hills Section 1 and from which point of beginning a concrete monument at the southeast corner of the said Block "J" Barton Hills, Section 1, bears North 56° 51' East 40.00 feet and North 51° 10' East 50.09 feet;

THENCE North 33° 09' West 150.00 feet to a point;

THENCE North 11° 51' East 45.12 feet to point of termination at the centerline of an existing drainage and utility easement as shown on said plat of Barton Hills Section 1.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

WHEREAS, a certain drainage easement was reserved and dedicated to the public in, upon, and across all of Lot 14, Block B of Homewood Heights, a subdivision of a portion of Outlot 14, Division B, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Homewood Heights of record in Book 4 at page 230 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has heretofore granted the City of Austin a drainageway easement at a more desirable and practical location, and has requested that the hereinafter described drainage easement located on such premises be released; and,

WHEREAS, the hereinafter described easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the drainage easement existing across Lot 14 of Homewood Heights, less, however, the East ten (10.00) feet of such Lot 14, such tract of land being more particularly described as follows to wit:

All of Lot 14, Block B of Homewood Heights, a subdivision of a portion of Outlot 14, Division B, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Homewood Heights being of record in Book 4 at page 230 of the Plat Records of Travis County, Texas, save and except the East ten (10.00) feet of said Lot 14 which is expressly retained for drainage easement purposes.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain sanitary sewer easement, ten (10.00) feet in width was granted to the City of Austin in, upon and across a part of Lot 24A in Block G of a resubdivision of a portion of Blocks C, G and H, Northway Crest Section No. 2, a subdivision of a portion of the James P. Wallace Survey No. 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Northway Crest Section 2 of record in Book 6 at page 36 of the Plat Records of

Travis County, Texas; a map or plat of a resubdivision of a portion of Blocks C, G and H, Northway Crest Section 2 being of record in Book 6 at page 174 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has agreed to grant the City of Austin a sanitary sewer easement at a more desirable and practical location, and has requested that the hereinafter described sanitary sewer easement located on such premises be released; and,

WHEREAS, the hereinafter described portion of said easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the sanitary sewer easement located on the hereinafter described premises, SAVE and EXCEPT the north eighty (80.00) feet of hereinafter described strip of land ten (10.00) feet in width, to wit:

A strip of land ten (10.00) feet in width out of and a part of Lot 24A in Block G of a resubdivision of a portion of Blocks C, G and H, Northway Crest Section No. 2, a subdivision of a portion of the James P. Wallace Survey No. 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Northway Crest Section 2 of record in Book 6 at page 36 of the Plat Records of Travis County, Texas; a map or plat of a resubdivision of a portion of Blocks C, G and H, Northway Crest Section 2 being of record in Book 6 at page 174 of the Plat Records of Travis County, Texas, SAVE and EXCEPT, however, the north eighty (80.00) feet of said strip of land ten (10.00) feet in width.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the south side of East 6th Street as a private gasoline plant consisting of a 2,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by the Bohls Block Company, and is part of Lot 3 of the H. and T. C. Subdivision, Outlot 10, Division A, of the City of Austin, Travis County, Texas, and hereby authorizes the said Bohls Block Company to operate a private gasoline plant consisting of a 2,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with

all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Bohls Block Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 14, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of the Bohls Block Company, by their agent, Dan O'Connell, for permission to operate a private gasoline plant consisting of a 2,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of East 6th Street, which property is designated as part of Lot 3 of the H. and T. C. Subdivision, Outlot 10, Division A, in the City of Austin, Travis County, Texas, and locally known as 2303 East 6th Street.

"This property is located in an "E" Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Pearson, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation the City Council has found that traffic conditions are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the location hereinafter described upon the street makes it advisable to use mechanical devices in such enforcement, and has found that the following location should be placed in Parking Meter Zone 60:

<u>ON</u>	<u>SIDE</u>	<u>LOCATION</u>
East 9th Street	North and South	From Brazos to San Jacinto Streets (200 Block)

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the location upon the street of the City of Austin as above described be and it is hereby Placed in Parking Meter Zone 60, and that the City Clerk be, and she is hereby authorized and instructed to record the finding in Section 33.43 of the Traffic Register.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a License Agreement between the City of Austin and Texas and New Orleans Railroad Company, for the construction of a twenty-four inch (24") storm sewer pipe line under its Llano Branch main track at an angle of 76° 30' at a point 265.88 feet northwest of said railroad company's Culvert #2.20 (M.P. 2.25).

The motion, seconded by Councilman Pearson, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The Council received notice that the following zoning application had been withdrawn:

NASH PHILLIPS & CLYDE	6305-6433 Cameron Road	From "A" Residence
COPUS, JR.	1301-07 Wheelless Lane	To "GR" General Retail

The City Manager made a report on the conference held with the Airlines that operate from Austin and whose contracts expire June 1st unless notified that they were not to be renewed. The Airlines had been notified that the contracts were not to be renewed under the present landing fees, and the City Manager stated he had some recommendations to submit on new landing fees, as well as the rental fees to be put into effect when the Terminal is completed.

Councilman Long inquired of the Director of Public Works the status of Marlo Drive. The Director of Public Works gave a report stating the location would have to be changed a little, as the first plan would cause interference with the beam from the Airport. As to the completion date of the road, the Director of Public Works stated it was hoped to have it ready by the time school opened in the fall.

The Mayor brought up the offer of MR. H. G. WEST for a small strip of land for consideration. Councilman Long moved that the City Manager be instructed to draw the proper instrument to convey this small strip of property out of the W. E. Wilson Addition to Mr. West for \$500.00. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager made a report on some property that had been acquired from the Stoburgs for the Ben White Boulevard--607-609 Banister Lane. It was recommended that the houses be moved to the north and get them out of the right-of-way, and that they be sold as house and lot rather than as buildings to be moved off. Estimate for moving the two houses was \$12,926.25 plus about \$2,500 refurbishing. It was believed that approximately \$27,000 could be realized from the property in this manner as against a possible \$2,000 for the sale of the houses from the right-of-way. The Council took no action as it wanted to go look at the properties.

Councilman Long asked about the hearing for MR. J. D. GIVENS, Business Representative AFL-CIO Municipal Employees Union. Some of the members of the Council had not yet had an opportunity to look into the matter, and wanted to do so before the hearing. Mr. Givens had a brief he wanted to file, and the Mayor asked him to file it with the City Manager.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Sandra Haynie, of the City of Austin, has won the Women's State Amateur Golf Title for 1959 and the Women's State Public Amateur Golf Title for 1959; and,

WHEREAS, in winning said golf titles, Sandra Haynie has brought honor upon the City of Austin and has contributed to the encouragement of athletic competition and sportsmanship in the City of Austin; and,

WHEREAS, it is the desire of the City Council of the City of Austin to encourage athletic competition and sportsmanship within the City; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Sandra Haynie be commended for her extraordinary golfing achievements and for her sportsmanship which have honored both her and the City of Austin.

By rising vote the Council adopted the resolution and instructed that a copy be presented to Miss Haynie.

There being no further business, the Council adjourned at 11:05 A.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk